

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

VILASINI GANESH,

Defendant.

Case No. 16-CR-00211 LHK (NC)

**ORDER MODIFYING CONDITIONS
OF RELEASE**

Defendant Vilasini Ganesh appeared before the Court today, with her counsel, for review of her release conditions. There is an ongoing motion before the trial judge to determine the present competence of Dr. Ganesh. As part of the competency motion, Dr. Ganesh's counsel has written that "There is no dispute that Dr. Ganesh has long standing impairments that presently establish her incompetence beyond any reasonable dispute." Dkt. No. 56 at 8 (Reply brief filed 7/27/2017).

I do not need to decide the issue of Dr. Ganesh's competence, as that will be determined by the trial judge. But in the interest of community safety, after considering the information in the record, including the filings in the competency motion, I modify Dr. Ganesh's terms of release as follows:

1. She may not prescribe medicine.
2. She may not practice medicine.
3. She may not provide patient care.

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1 These modifications are effective immediately and will remain in effect until further
2 Court order. The previously imposed conditions of release also remain in place.

3 During the hearing, there was an evidentiary dispute concerning certain medical
4 records for Dr. Ganesh. The records are for the time period July 21 through August 10,
5 2017, and contain confidential HIPAA-protected medical information. The Court reviewed
6 the records and ordered them produced to pretrial services, only, over the government's
7 objection. The purpose of the inquiry was to assess whether Dr. Ganesh's non-appearances
8 on August 4 and 10 should be excused. There Court finds good cause for her absences
9 based on these medical records.

10 It is arguable that these medical records could have some bearing on the competency
11 hearing. If so, I leave to District Court Judge Lucy Koh to determine their relevance and
12 whether the government should have access to them.

13
14 IT IS SO ORDERED.

15 Date: August 21, 2017


Nathanael M. Cousins
United States Magistrate Judge